

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF: KIMIIHIKO NISHIOKA, ET AL.
SERIAL NO.: 10/806,228
ATTORNEY DOCKET NO.: 050931-0308962
FILING DATE: March 23, 2004
CONFIRMATION NO. 1701
ART UNIT: 2622
EXAMINER: CUTLER, Albert H.
FOR: OPTICAL ELEMENTS (SUCH AS VARI-FOCAL LENS COMPONENT, VARI-FOCAL DIFFRACTIVE OPTICAL ELEMENT AND VARIABLE DECLINATION PRISM) AND ELECTRONIC IMAGE PICKUP UNIT USING OPTICAL ELEMENTS

**RESPONSE TO NON-FINAL OFFICE ACTION WITH
REQUEST FOR CONTINUED EXAMINER UNDER 37 CFR § 1.114**

Mail Stop RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action mailed March 16, 2009, the date for responding being June 16, 2009, and in conjunction with the Request for Continued Examination (RCE) and petition of 3 month extension of time filed concurrently herewith, please amend the above-identified application as follows:

Amendments to the claims begin on page 2 of this paper.

Remarks/Arguments begin on page 7.

It is believed that no extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a), and any fees required therefore (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 033975 (Ref. No. 050931-0308962).